

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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KELLY TOYS HOLDINGS, LLC,	:	<b><u>ORDER DENYING THE</u></b>
	:	<b><u>ALIBABA DEFENDANTS'</u></b>
Plaintiff,	:	<b><u>MOTION FOR</u></b>
-against-	:	<b><u>RECONSIDERATION</u></b>
	:	
ALIALIALILL STORE, et al.,	:	21 Civ. 8434 (AKH) (RWL)
	:	
Defendants.	:	
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ALVIN K. HELLERSTEIN, U.S.D.J.:

The Alibaba Defendants' motion for reconsideration (ECF No. 101) is denied. "The standard for granting a motion for reconsideration is strict, and reconsideration will generally be denied unless the moving party can point to controlling decisions or data that the court overlooked." *Analytical Surveys, Inc. v. Tonga Partners, LP*, 684 F.3d 36, 41 (2d Cir. 2012). Here, Defendants fail to do so, and instead seek to recharacterize the Court's prior order to its advantage. Plausible claims for contributory and vicarious infringement have been successfully alleged by the Plaintiff, and nothing in Defendants' new motion alters this fact. "A motion for reconsideration is not a motion to reargue those issues already considered when a party does not like the way the original motion was resolved," and so Defendants' motion is denied. *See Lowinger v. Morgan Stanley & Co. LLC (In re Facebook, Inc., IPO Sec. & Derivative Litig.)*, 43 F. Supp. 3d 369, 374 (S.D.N.Y. 2014).

The Clerk of Court shall terminate ECF No. 101.

SO ORDERED.

Dated: June 25, 2024  
New York, New York

  
ALVIN K. HELLERSTEIN  
United States District Judge